

REMARKS

The Examiner has objected to the Specification. Applicant respectfully asserts that such objection is avoided by virtue of the amendments to the Specification made hereinabove.

The Examiner has objected to Claims 43, and 48 due to informalities. Applicant respectfully asserts that such objection is avoided due to amendments to the aforementioned claims made hereinabove.

The Examiner has rejected Claims 26-29, and 31-48 under 35 U.S.C. 102(b) as being anticipated by Dwyer (U.S. Patent No. 3,562,402). Applicant respectfully disagrees with such rejection.

With respect to independent Claim 26, the Examiner has relied on items 11, 41, 44, 45, and 49 from the Dwyer reference to make a prior art showing of applicant's claimed "coupling member for coupling a first section of trunking to a second section of trunking, the coupling member comprising: a body having first and second elongate members, the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking, and a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking in use; and at least one connecting member for joining distal ends of said first and second elongate members."

Applicant respectfully asserts that Dwyer discloses a coupling member (elbow duct member 40) for coupling a first section of trunking (straight duct member 10) to a second section of trunking. Further, Dwyer discloses that the coupling member comprises a body having first and second elongate members (two back angled vertical sides of continuous side opening 41) and at least one connecting member (insert portion 49) for joining distal ends of the first and second elongate members.

However, the disclosure of the coupling member (40), in addition to straight duct member (10) having laterally outwardly extending end flange (11), as in Dwyer, does not teach “the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking” (emphasis added), as claimed by applicant.

Applicant respectfully asserts that the body of the coupling member (40) disclosed as in Dwyer instead exhibits a first and second flange (44, 45), where the flanges define surfaces adapted to respectively engage a first flange (11) on a first section of trunking (10) and a second flange on a second section of trunking. Further, applicant asserts that Dwyer’s first and second flanges (44, 45) protrude from a third surface (bottom surface of 41) of the body of the coupling member (40) which connects the two flanges. Therefore, as a result, the connection of the flanges in Dwyer does not result in “a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking in use” (emphasis added), as claimed by applicant.

Thus, Dwyer fails to anticipate applicant’s claimed “coupling member for coupling a first section of trunking to a second section of trunking, the coupling member comprising: a body having first and second elongate members, the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking, and a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking in use; and at least one connecting member for joining distal ends of said first and second elongate members,” as claimed.

Further, applicant asserts that it is an object of the present invention to connect sections of trunking in such a way as to “provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking,” as claimed.

Applicant asserts that an irregularly shaped portion of trunking, such as the protruding flange portions of Dwyer, is more difficult to clean than a flat surface. For example, with an irregularly shaped portion of trunking, water from a hose pipe needs to be directed at the surface of the trunking from a number of different directions in order to project water onto each portion of the outer surface since the protruding portions may obstruct the flow of water from a particular direction.

In addition, applicant respectfully asserts that applicant's Specification clearly discloses that the body (36) of the coupling member (30) defines a first and second surface (42, 44) adapted to respectively engage a first flange (46) on a first section of trunking (32) and a second flange (48) on a second section of trunking (34). Further, the Specification clearly discloses a third surface (50) that connects said first and second surfaces (42, 44) and that is adapted to provide a substantially continuous surface with respective external surfaces (52, 58) of said first and second sections of trunking (32, 34) when in use, as claimed. Clearly, this ensures that when a coupling member connects two trunking sections, their external surfaces are continuous with one another, as illustrated in Figure 4 of applicant's Specification, which provides the advantage that dirt can be more easily cleaned from such connected trunking sections.

Additionally, applicant asserts that another advantage of having a continuous outer surface between two connected portions of trunking and a coupling member is that dirt is less easily able to accumulate in dirt traps (e.g. indentations, gaps or corner sections of externally protruding flanges).

Furthermore, it can therefore be seen that the objective technical problem with the disclosure in Dwyer is to reduce the number of dirt traps arising on the connection of the sections of trunking and to increase the ease with which such connected sections of trunking may be cleaned.

However, the skilled person, in seeking a solution to the above objective technical problem of Dwyer, would find no disclosure or suggestion in any of the prior art as to

how the above objective technical problem might be solved. In particular, Dwyer simply fails to disclose or suggest that a “coupling member comprising: a body having first and second elongate members, the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking, and a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking,” as claimed by applicant, would ensure that when a coupling member connects two trunking sections, their external surfaces would have less or no dirt traps and therefore be easier to clean. Therefore, applicant respectfully asserts that the disclosure of Dwyer fails to anticipate Claim 26, as argued above.

With respect to independent Claim 35, the Examiner has relied on items 10, 27, 41, and 49 from the Dwyer reference to make a prior art showing of applicant’s claimed “section of waterproof trunking comprising: a body portion defining at least one inlet for a cable, and having at least one aperture for allowing access to an inside of said body portion, wherein the or each said aperture is adapted to receive a respective cover device thereon; and a flange provided on at least one respective said inlet, extending internally thereof and adapted to engage at least one further trunking section” (as amended).

Applicant respectfully asserts that Dwyer discloses a section of waterproof trunking (elbow duct member 40) comprising a body portion defining at least one inlet for a cable (side openings), and having at least one aperture (continuous side opening 41) for allowing access to an inside of said body portion. Further, Dwyer discloses that the aperture (41) is adapted to receive a respective cover device (cover member 46) thereon.

However, applicant asserts that Dwyer simply fails to suggest “a flange provided on at least one respective said inlet, extending internally thereof and adapted to engage at least one further trunking section,” as claimed. Applicant asserts that Dwyer simply discloses a flange (44, 45) provided on at least one inlet (side openings). However, as disclosed in Dwyer, the flange is adapted to engage a further trunking section and extends

externally, not internally, to the opening (side opening) and therefore protrudes from the body of the section of waterproof trunking (40).

Thus, Dwyer fails to anticipate applicant's claimed "section of waterproof trunking comprising: a body portion defining at least one inlet for a cable, and having at least one aperture for allowing access to an inside of said body portion, wherein the or each said aperture is adapted to receive a respective cover device thereon; and a flange provided on at least one respective said inlet, extending internally thereof and adapted to engage at least one further trunking section," as claimed by applicant.

Further, applicant asserts that it is an object of the present invention to connect sections of trunking in such a way to produce a continuous surface between the connected sections of trunking. Applicant asserts that an irregularly shaped portion of trunking, such as the protruding flange portions of Dwyer, is more difficult to clean than a flat surface. For example, with the irregularly shaped portion of trunking, water from a hose pipe needs to be directed at the surface of the trunking from a number of different directions in order to project water onto each portion of the outer surface since the protruding portions may obstruct the flow of water from a particular direction.

In addition, applicant asserts that the use of "a flange provided on at least one respective said inlet, extending internally thereof," as claimed, ensures that when the flanges of two trunking sections are brought into engagement, the external surfaces of the two trunking sections are continuous and flush with one another, which provides the advantage that dirt can be more easily cleaned from their surfaces.

Additionally, applicant asserts that another advantage of having a continuous and flush outer surface between two connected trunking sections is that dirt is less easily able to accumulate in dirt traps (e.g. indentations, gaps or corner sections of externally protruding flanges).

Furthermore, it can therefore be seen that the objective technical problem with the disclosure in Dwyer is to reduce the number of dirt traps arising on the connection of the sections of trunking and to increase the ease with which such connected sections of trunking may be cleaned.

However, the skilled person, in seeking a solution to the above objective technical problem of Dwyer, would find no disclosure or suggestion in any of the prior art as to how the above objective technical problem might be solved. In particular, Dwyer simply fails to disclose or suggest that “a flange provided on at least one respective said inlet, extending internally thereof and adapted to engage at least one further trunking section,” as claimed, would ensure that the external surfaces of connected trunking sections would be continuous and flush with one another when the flanges of two such trunking sections are brought into engagement.

Additionally, applicant respectfully asserts that when interpreting Claim 35 in terms of Dwyer, it is important to realize that the joining flange (25), as disclosed in Dwyer, simply does not comprise the body portion of the section of waterproof trunking (40). Clearly, the joining flange (25), as disclosed in Dwyer, should be interpreted as the guide device referred to in Claim 40 of the application as filed. Therefore, applicant respectfully asserts that the disclosure of Dwyer fails to anticipate Claim 35, as argued above.

With respect to independent Claim 43, the Examiner has relied on items 10, 27, 40, and 41 from the Dwyer reference to make a prior art showing of applicant’s claimed “section of waterproof trunking comprising: a body portion having at least one inlet for a cable, wherein at least one inlet comprises a respective open channel; and a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section” (as amended).

Applicant respectfully asserts that Dwyer discloses a body portion of a section of waterproof trunking (elbow duct member 40) comprising at least one inlet (side

openings) for a cable, wherein at least one inlet comprises a respective open channel (continuous side opening 41).

However, applicant asserts that Dwyer fails to disclose a “section of waterproof trunking comprising: a body portion having at least one inlet for a cable, wherein at least one inlet comprises a respective open channel; and a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section” (emphasis added), as claimed. Applicant respectfully asserts that Dwyer discloses a body portion of a section of waterproof trunking (40) with a respective flange (45) extending externally, not inwardly, of at least one channel (41) and is adapted to engage at least one further trunking section (10).

Thus, Dwyer fails to anticipate applicant’s claimed “section of waterproof trunking comprising: a body portion having at least one inlet for a cable, wherein at least one inlet comprises a respective open channel; and a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section,” as claimed by applicant.

Further, applicant’ asserts that it is an object of the present invention to connect sections of trunking in such a way to produce a continuous surface between the connected sections of trunking. Applicant asserts that an irregularly shaped portion of trunking, such as the protruding flange portions of Dwyer, is more difficult to clean than a flat surface. For example, with the irregularly shaped portion of trunking, water from a hose pipe needs to be directed at the surface of the trunking from a number of different directions in order to project water onto each portion of the outer surface since the protruding portions may obstruct the flow of water from a particular direction.

In addition, applicant asserts that the use of “a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section” as claimed, ensures that when the flanges of two trunking sections are brought into engagement, the external surfaces of the two trunking sections are continuous and

flush with one another, which provides the advantage that dirt can be more easily cleaned from the connected trunking sections.

Additionally, applicant asserts that another advantage of having a substantially flush outer surface between two connected trunking sections is that dirt is less easily able to accumulate in dirt traps (e.g. indentations, gaps or corner sections of externally protruding flanges).

Furthermore, it can therefore be seen that the objective technical problem with the disclosure in Dwyer is to reduce the number of dirt traps arising on the connection of the sections of trunking and to increase the ease with which such connected sections of trunking may be cleaned.

However, the skilled person, in seeking a solution to the above objective technical problem of Dwyer, would find no disclosure or suggestion in any of the prior art as to how the above objective technical problem might be solved. In particular, Dwyer simply fails to disclose or suggest that “a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section,” as claimed, would ensure that the external surfaces of connected trunking sections would be continuous and flush with one another when the flanges of two such trunking sections are brought into engagement.

Additionally, applicant respectfully asserts that when interpreting Claim 43 in terms of Dwyer, it is important to realize that the joining flange (25), as disclosed in Dwyer, simply does not comprise the body portion of the section of waterproof trunking (40). Clearly, the joining flange (25), as disclosed in Dwyer, should be interpreted as the coupling device referred to in Claim 46 of the application as filed. Therefore, applicant respectfully asserts that the disclosure of Dwyer fails to anticipate Claim 43, as argued above.

With respect to independent Claim 48, the Examiner has relied on items 10, 11, 13, 16, 27, 30, 40, 44, and 45 from the Dwyer reference to make a prior art showing of applicant's claimed "trunking system comprising: at least one first section of waterproof trunking having a body portion having at least one inlet for a cable, wherein at least one inlet comprises a respective open channel, and a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section; at least one respective lid for covering said channel; and at least one coupling member for coupling said first section of trunking to a second section of trunking, the coupling member having a body having first and second elongate members, the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking, and a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking in use, and at least one connecting member for joining distal ends of said first and second elongate members" (as amended).

Applicant respectfully asserts that Dwyer discloses at least one first section of waterproof trunking (elbow duct member 40) having a body portion having at least one inlet (side openings) for a cable, wherein at least one inlet comprises a respective open channel (continuous side opening 41). Further, Dwyer discloses at least one respective lid (cover member 46) for covering said channel (41). In addition, Dwyer discloses at least one coupling member (joining sleeve 25) for coupling said first section of trunking (40) to a second section of trunking (straight duct member 10), where the coupling member has both first and second elongate members (side surfaces). Additionally, Dwyer discloses at least one connecting member (sealing plate assembly 30) for joining distal ends of said first and second elongate members.

However, applicant asserts that Dwyer simply fails to suggest a "trunking system comprising: at least one first section of waterproof trunking having a body portion... and a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section," as claimed by applicant. Applicant asserts that

Dwyer simply discloses a trunking system comprising at least one first section of waterproof trunking (40) having a body portion having a respective flange (45) extending externally, not inwardly, of at least one channel (41) and adapted to engage at least one further trunking section (10).

In addition, applicant asserts that the coupling member (25), as in Dwyer, does not have “the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking,” as claimed by applicant. Furthermore, applicant asserts that the coupling member (25), as in Dwyer, also fails to have “a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking in use,” as claimed by applicant.

Thus, Dwyer fails to anticipate applicant’s claimed “trunking system comprising: at least one first section of waterproof trunking having a body portion having at least one inlet for a cable, wherein at least one inlet comprises a respective open channel, and a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section; at least one respective lid for covering said channel; and at least one coupling member for coupling said first section of trunking to a second section of trunking, the coupling member having a body having first and second elongate members, the body defining first and second surfaces adapted to respectively engage a first flange on a first section of trunking and a second flange on a second section of trunking, and a third surface connecting said first and second surfaces and adapted to provide a substantially continuous surface with respective external surfaces of said first and second sections of trunking in use, and at least one connecting member for joining distal ends of said first and second elongate members,” as claimed by applicant.

Further, applicant asserts that it is an object of the present invention to connect sections of trunking in such a way to produce a continuous surface between the connected sections of trunking. Applicant asserts that an irregularly shaped portion of trunking,

such as the protruding flange portions of Dwyer, is more difficult to clean than a flat surface. For example, with the irregularly shaped portion of trunking, water from a hose pipe needs to be directed at the surface of the trunking from a number of different directions in order to project water onto each portion of the outer surface since the protruding portions may obstruct the flow of water from a particular direction.

In addition, applicant asserts that the use of “a respective flange extending inwardly of at least one said channel,” as claimed, ensures that when the flanges of two trunking sections are brought into engagement, the external surfaces of the two trunking sections are continuous and flush with one another, which provides the advantage that dirt can be more easily cleaned from the connected trunking sections.

Additionally, applicant asserts that another advantage of having a continuous and flush outer surface between two connected trunking sections is that dirt is less easily able to accumulate in dirt traps (e.g. indentations, gaps or corner sections of externally protruding flanges).

Furthermore, it can therefore be seen that the objective technical problem with the disclosure in Dwyer is to reduce the number of dirt traps arising on the connection of the sections of trunking and to increase the ease with which such connected sections of trunking may be cleaned.

However, the skilled person, in seeking a solution to the above objective technical problem of Dwyer, would find no disclosure or suggestion in any of the prior art as to how the above objective technical problem might be solved. In particular, Dwyer simply fails to disclose or suggest that “at least one first section of waterproof trunking having a body portion having... a respective flange extending inwardly of at least one said channel and adapted to engage at least one further trunking section,” as claimed, would ensure that the external surfaces of connected trunking sections of trunking would be substantially flush with one another. Therefore, applicant respectfully asserts that the disclosure of Dwyer fails to anticipate Claim 48, as argued above.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the above reference excerpt(s), as noted above. Thus, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

To this end, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. UDL1P016).

Respectfully submitted,
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